

10/621,613

IN THE DRAWINGS:

A replacement Figure 2 has been submitted which deletes the reference numeral 35. This does not add new matter to the application.

REMARKS

This amendment is being filed in response to the Office Action dated January 24, 2007. For the following reasons, this application should be considered in condition for allowance and the case passed to issue.

The Drawings were objected to as failing to comply with 37 C.F.R. §1.84(p)(5). This objection has been obviated by the change to Figure 2 to remove reference numeral 35. Such a change does not add new matter to the application.

The objection to the specification has been obviated by the amendment to page 12, line 11, as suggested by the Examiner. Withdrawal of the objection to the specification is therefore respectfully requested.

Claims 9 and 10 were objected to because of informalities that have been obviated by amendments to the claims to correct the informalities. Withdrawal of the objection to claims 9 and 10 are respectfully requested.

Claims 1-10 and 40 were rejected under 35 U.S.C. §102(e) as being anticipated by Masudaya. This rejection is hereby traversed and reconsideration and withdrawal thereof are respectfully requested. The following is a comparison of the present invention as currently claimed with the Masudaya reference.

As recited in claim 1, for example, embodiments of the invention relate to a multi-way input device that is adapted to perform input operation through tilting or sliding movements of an operation terminal in a given direction to allow a command correlated with the direction to be selected. The multi-way input device comprises an operational failure judgment section that

judges if selective operation of an operator is involved in an operational failure. An operational failure memory section stores information, related to operational failures judged by the operational failure judgment section, as an operation history. An operational failure analysis section analyzes the operation history stored in the operational failure memory section for thereby judging a tendency of the operational failures. An adjusting section adjusts a moveable range of the operational terminal to avoid the operational failures in response to a resulting analysis made by the operational failure analysis section. Support for the amendment is provided in the specification at page 14, lines 34 to page 15, line 35.

Hence, with the present invention, an adjusting section actually adjusts the moveable range of the operational terminal in order to avoid the operational failures in response to the analysis made by the operational failure analysis section. See also, Figs. 6, 7 and 18. The adjustment moveable range of the operation terminal 21 is achieved through the operation direction correct section 407e. It is clear that the Masudaya reference fails to provide such an adjusting section that adjusts the moveable range of an operation terminal. Instead, Masudaya merely moves the function mode between switches 21a-21f as discussed further below.

Masudaya, U.S. Patent Application Publication No. 20010040562 relates to an input device having a plurality of function switches. As discussed on page 4, paragraph [0048] of Masudaya, upon reaching a certain number of counted mistakes for a function switch, the operator is asked if the operator wishes to replace the component assigned to the last selected one of the function switches 21a-21f with another component assigned to another one of the function switches 21a-21f. In other words, the range of the input devices is not adjusted in any manner, but rather only the assigning of the switches 21a-21f is adjusted based upon the frequency of mistakes. In order to clarify this difference between Masudaya and the embodiments of the

present invention, the claims have been amended such that the term “mode” has been replaced with --range--. Hence, with Masudaya, the range of the input device is never changed, but rather only the assignments of the switches 21a-21f. By contrast, as seen in Figures 6, 7 and 18, the present invention adjusts the moveable range of the operation terminal. In order to anticipate the claims of an application under 35 U.S.C. §102, a single prior art reference must identically disclose each and every element of the claimed invention. As demonstrated above, Masuyada fails to satisfy this high burden with respect to amended claims 1-10 and 40. Accordingly, reconsideration and withdrawal of the rejection of claims 1-10 and 40 under 35 U.S.C. §102(e) are respectfully requested.

In light of the amendments and remarks above, this application should be considered in condition for allowance and the case passed to issue. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated to expedite the prosecution of the application.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

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